REMARKS

1. In the above-captioned Final Office Action, the Examiner stated that the drawings are subject to correction as set forth in the PTO-948 form. Claims 1-10, and 13-20 were rejected under 35 U.S.C. §103(a) for the first time given Perez et al. (U.S. Patent No. 6,273,042) in view of Carroll, III et al. (U.S. Patent No. 5,542,315). Claims 11 and 12 were rejected under 35 U.S.C. §103(a) given Perez et al. in view of Carroll et al., and further in view of design choice. These rejections are traversed and reconsideration is hereby respectfully requested.

2. Informalities with respect to the drawings were set forth in the PTO-948. These informalities occurred because the drawings are informal drawings. Replacement formal drawings will be sent under separate cover. The rendering of formal drawings will overcome the issues set forth in the PTO-948.

3. Claims 1-10 and 13-20 were rejected under 35 U.S.C. §103(a) given Perez in view of Carroll.

In the Final Office action mailed on May 13, 2005, the Examiner states that Carroll teaches "the use of a wire-like retainer" which, in combination with Perez, "make[s] obvious the claimed invention" on page 5, section 6. As stated in the Perez reference, "[m]etal spring retainers ... have been problematic and expensive ... [and] have proven difficult to install in an automated operation." [Column 3, line 64 to column 4, line 8]. Perez teaches a resilient retainer that is not a metal spring, and in general, is not wire-like as set forth in independent claims 1, 6, and 16. Hence, Perez *teaches away* from the use of a wire-like retainer. In considering the claimed invention and each of the references as a whole, the references cannot be combined if one of the references teaches away from the invention as claimed (see MPEP 2141.02). Thus, because Perez teaches away from the teachings of the present invention, one of skill in the art would not be motivated to combine Perez with Carroll. Thus, Perez and Carroll cannot be combined to provide a proper 35 U.S.C. §103(a) rejection.

Further, The Examiner has made a 35 U.S.C. §103 rejection, yet has failed to provide the motivation as to why one of skill in the art would be motivated to make such a combination. The Examiner's rejections have provided no more motivation than to simply point out the individual words of the Applicant's claims among the references, but without the reason and result as provided in the Applicant's claims

and specification, and without reason as to why and how the references could provide the Applicant's invention as claimed. Therefore, the Examiner has provided mere hindsight as motivation, which is not sufficient to meet the burden of sustaining a 35 U.S.C. §103 rejection. Further, there are gaps between Perez and Carroll that need to be resolved to yield the invention as claimed, and the Examiner has not provided the teachings to overcome these gaps.

Thus, the claims of the present invention are not taught or suggested by Perez and/or Carroll. One of skill in the art would not be motivated to make such a combination based on the teaching of Perez. Therefore, the present invention is not obvious in light of any combination of Perez and/or Carroll.

Furthermore, claims 2-5, 7-15, and 17-20, are dependent upon an independent claim that is shown to be allowable. For all these reasons, the dependent claims are themselves allowable.

4. The above response is necessary because it shows that the application is in condition for allowance and was not previously entered because the Examiner first brought the grounds of rejection in the Final Office Action.

5. The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication may advance the prosecution of the present application. Notice of allowance of claims 1-20 is hereby respectfully requested.

Respectfully submitted,

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